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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 MERLE RALPH FERGUSON,
12 Plaintiff,
13 v.
14 UNITED STATES OF AMERICA, et al.,
15 Defendants.
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Case No.: 15cv1253 JM (RNB)

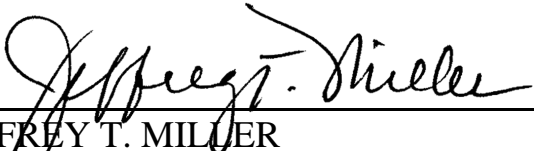
**ORDER GRANTING IN PART AND
DENYING IN PART SECOND JOINT
MOTION TO CONTINUE HEARING
FOR DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

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19 The parties jointly move the court to continue the hearing date for Defendant's
20 motion for summary judgment from July 16, 2018, to July 23, 2018. (Doc. No. 65.) The
21 parties seek to continue the hearing date a second time because of a clerical error in their
22 first motion to continue. Additionally, the parties wish to alter the briefing schedule on
23 the motion for summary judgment because of a potential settlement conference before
24 Magistrate Judge Block. Although the parties provide June 19 as the potential date for
25 the settlement conference, the court notes that Magistrate Judge Block has yet to decide
26 whether to set a settlement conference on calendar at all. (See Doc. No. 62.) Therefore,
27 it does not serve as a valid basis for pushing back the briefing schedule by two weeks.
28 However, the court will allow the parties an additional week each to submit their briefing.

1 Accordingly, the court grants in part and denies in part the motion. The hearing
2 date for Defendant's motion for summary judgment, (Doc. No. 59), is continued from
3 July 16, 2018, to **July 23, 2018**, at 10:00 a.m. in Courtroom 5D. Plaintiff's opposition is
4 due **June 25, 2018**, and Defendant's reply is due **July 2, 2018**.

5 IT IS SO ORDERED.

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7 DATED: June 14, 2018


JEFFREY T. MILLER
United States District Judge